



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: October 18, 2006

Time: Closed Session 6:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Jennifer M. Perrin

Interim City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- b) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Reverend Michael Voytek, Providence Reformed Church

C. Pledge of Allegiance

D. Presentations

- D-1 Awards
 - a) Presentation of Community Improvement Award (CD)
- D-2 Proclamations – None
- D-3 Presentations – None

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$5,404,572.47 (FIN)
- E-2 Approve minutes (CLK)
 - a) August 16, 2006 (Regular Meeting)
 - b) September 19, 2006 (Shirtsleeve Session)
- E-3 Approve plans and specifications and authorize advertisement for bids for roof replacement improvements at Legion Park, 835 South Hutchins Street, and Kofu Park, 1145 South Ham Lane (PR)

- Res. E-4 Adopt resolution awarding contract for Traffic Signal Preventive Maintenance and Repair Program, Fiscal Year 2006-07, to Republic ITS, of Novato, CA (\$18,894), and appropriating funds for on-call traffic signal repairs (\$20,000) (PW)

- Res. E-5 Adopt resolution authorizing Fee Payment Agreement for 2223 West Kettleman Lane (PW)
- Res. E-6 Adopt resolution approving Hold Harmless Agreement with Lodi Unified School District for temporary placement of six portable classrooms on north Grape Bowl parking lot (PW)
- Res. E-7 Adopt resolution authorizing the City Manager to enter into a professional services agreement with Power Engineers, Inc. of Hailey, ID, for engineering and design of the scaled-back rehabilitation of Killelea Substation and to reject all other design/engineering proposals (\$115,819) (EUD)
- E-8 Authorize the City Manager to execute a land lease with the Community Partnership for Families of San Joaquin for construction of a Family Resource Center at Blakely Park (CM)
- Res. E-9 Adopt resolution authorizing the City of Lodi to endorse the California Memorandum of Understanding in support of the National Action Plan for Energy Efficiency (EUD)
- Res. E-10 Adopt resolution authorizing the City Manager or designee to execute standard Electrical Interconnection and Co-Energy/Net Energy Metering Payment Agreements (EUD)
- Res. E-11 Adopt resolution authorizing the receipt of \$23,000 in grant funding from the State Department of Housing and Community Development (CD)
- E-12 Set public hearing for November 1, 2006, to consider the following (CD):
- a) Certify the Lodi Annexation Environmental Impact Report for the Southwest Gateway Project (including "other annexation areas") and Westside Project
 - b) Approve the Southwest Gateway Project, which includes an annexation; pre-zoning; amendment to the Bicycle Transportation Master Plan; and Development Agreement; to incorporate 305 acres into the City of Lodi (257 acres with the Southwest Gateway Project area and 47.79 contiguous acres outside the Project); to allow construction of 1,300 dwelling units, 5 neighborhood/community parks, and a public elementary school on the west side of Lower Sacramento Road, south of Kettleman Lane, north of Harney Lane

Including a City initiated request for the "other annexation areas" (47.79 acres) for annexation, General Plan Amendment from a land use designation of PR (Planned Residential) to MDR (Medium Density Residential), and a pre-zoning of R-MD (Residential Medium Density) to avoid creation of a county island
 - c) Approve the Westside Development Project, which includes an annexation; pre-zoning; amendment to the Bicycle Transportation Master Plan; Development Agreement; and an amendment to the Westside Facilities Master Plan to incorporate 151 acres into the City of Lodi to allow construction of 750 dwelling units, 3 neighborhood/community parks, and a public elementary school at 351 East Sargent Road, 70 East Sargent Road, 212 East Sargent Road, and 402 East Sargent Road

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings

- Res. I-1 Public hearing to consider adopting resolution levying annual (2007) assessment for Downtown Lodi Business Improvement Area No. 1 and confirming the Downtown Lodi Business Partnership 2006-07 Annual Report (as approved by Council on October 4, 2006) (CM)

J. Communications

- J-1 Claims filed against the City of Lodi – None
J-2 Appointments – None
J-3 Miscellaneous – None

K. Regular Calendar

- K-1 Authorize the City Manager to execute agreement with property owner for watershed mural at 207 West Oak Street (PW)
- Res. K-2 Adopt resolution authorizing the City Manager to accept a grant award for the Railroad Corridor Transit Oriented Development (TOD) Plan from the California Department of Transportation (Caltrans) in the amount of \$75,000 with an in-kind contribution of \$9,250 and a fiscal contribution of \$9,500 and to execute all necessary agreements; and upon execution of the grant by Caltrans, authorize the City Manager to solicit proposals from qualified consultants to prepare a Railroad Corridor TOD Plan in a designated area downtown (CD)
- Res. K-3 Adopt resolution authorizing the City Manager and Electric Utility Director to procure energy and/or natural gas for fiscal year 2007-08 at a cost not to exceed \$25 million (EUD)
- K-4 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel (\$11,309.23) (CA)

L. Ordinances – None

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Jennifer M. Perrin
Interim City Clerk